

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, et al.

Debtors.¹

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

ORDER GRANTING FOUR HUNDRED FORTY-FOURTH OMNIBUS OBJECTION (SUBSTANTIVE) OF THE PUERTO RICO ELECTRIC POWER AUTHORITY TO CLAIMS THAT ARE PARTIALLY SATISFIED AND PARTIALLY ASSERT AMOUNTS FOR WHICH PREPA IS NOT LIABLE

Upon the *Four Hundred Forty-Fourth Omnibus Objection (Substantive) of the Puerto Rico Electric Power Authority to Claims That Are Partially Satisfied and Partially for Amounts for Which PREPA Is Not Liable* (Docket Entry No. 20492) (the “Four Hundred Forty-Fourth Omnibus Objection”),² filed by the Puerto Rico Electric Power Authority (“PREPA”),

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Four Hundred Forty-Fourth Omnibus Objection.

dated April 1, 2022, for entry of an order reducing the amount of certain claims filed against PREPA on the basis that these claims are partially satisfied and that PREPA has no liability for the remaining portions of the claims, as more fully set forth in the Four Hundred Forty-Fourth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Four Hundred Forty-Fourth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Four Hundred Forty-Fourth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the Court having determined that the claims identified in the column titled “Asserted” in Exhibit A to the Four Hundred Forty-Fourth Omnibus Objection (collectively, the “Claims to Be Partially Disallowed”) having been found to be satisfied in part; and the Court having determined that additional portions of the Claims to Be Partially Disallowed seek recovery of amounts for which PREPA is not liable; and the Court having determined that the relief sought in the Four Hundred Forty-Fourth Omnibus Objection is in the best interest of PREPA and its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Four Hundred Forty-Fourth Omnibus Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Four Hundred Forty-Fourth Omnibus Objection is GRANTED
as set forth herein; and it is further

ORDERED that the Claims to Be Partially Disallowed are hereby reduced and disallowed to the extent they assert claims for amounts already paid and/or for which PREPA has no liability, such that the Claims to Be Disallowed shall now only be considered claims asserting

the amount set forth in the column titled “Remaining Claim” in Exhibit A to the Four Hundred Forty-Fourth Omnibus Objection, respectively; and it is further

ORDERED that PREPA’s right to object to the remaining portions of these claims, as set forth in the column titled “Remaining Claim” in Exhibit A to the Four Hundred Forty-Fourth Omnibus Objection, is reserved; and it is further

ORDERED that Kroll is authorized and directed to delete and reduce the amount asserted in the Partially Satisfied Claims by the disallowed portions (i.e., reducing the amount of the claims to the amounts set forth in the column titled “Remaining Claim” in Exhibit A to the Four Hundred Forty-Fourth Omnibus Objection) from the official claims register in the PREPA Title III Case; and it is further

ORDERED that this Order resolves Docket Entry No. 20492 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: October 4, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge